

Panaji, 28th February, 2025 (Phalguna 9, 1946)

SERIES I No. 48

OFFICIAL GAZETTE GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Revenue

Notification

17/7/2023-RD/1723

Date: 28-Feb-2025

In exercise of the powers conferred by clause 19 of article 153 of the Legislative Diploma No. 2070 dated 15-4-1961, in its application to the State of Goa, the Government of Goa hereby makes the following rules, namely:-

1. **Short title and commencement.** — These rules may be called the Goa Comunidade Land Development and Regulation Rules, 2025.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions-** In these rules, unless the context otherwise requires,-

“amenity” means road, water supply, street lighting, drainage, sewerage, public parks, playgrounds, community centres and other community buildings, horticulture, internet connectivity, landscaping and any other public utility service as the Comunidade may so desire;

(b) “financial bid” means the document containing the schedule or rates to be considered for the purpose of evaluation and awarding permit/work order to the developer;

(c) “financially insecure Comunidade” means a Comunidade whose average annual approved budget of the previous 3 years is less than Rs. 5,00,000/- (Rupees Five lakhs only) or zonn paid to a Zonkar/Shareholder of the comunidade per year does not exceed Rs 20,000/- ;

(d) “form” means a form appended to these rules;

(e) “Government” means the Government of Goa;

(f) “layout plan” means a plan of the Comunidade land depicting the division or proposed division of land into plots, roads, open spaces, etc. and other details as may be necessary and as approved by the Town and Country Planning Department;

(g) “technical bid” means the details of how the developer plans to execute the project, detailed specifications of the materials or equipment to be used, layout plan and details of utilization of the land area.

3. Identification of land and approval of the Government. — (1) A financially insecure comunidade who desires to develop its land by entrusting the work of development of such land to any private agency under article 339-A shall first identify the land for the purpose of development and allotment of plots and make an application to the Government in Form “I” hereto for obtaining approval of the Government, after the managing Committee has scrutinized and approved the same.

(2) The area of the land proposed to be developed shall not be less than 10,000 square meters and such land shall be permissible for development under applicable laws of the State.

(3) The application referred under sub-rule (1) shall be submitted along with the following details/documents, namely:-

- (i) name of the plot/land:
- (ii) survey number.
- (iii) survey plan,
- (iv) plot boundaries, area and proposed use.
- (v) statement whether the plot/lands is under ownership of comunidade
- (vi) brief project report, and
- (vii) draft terms and conditions of auction/bidding

4. Monitoring of development of land by a Committee — (1) the application received under sub-rule (1) of rule 3 shall be placed before the Government along with a scrutiny report of the managing committee, for decision.

(2) Where the Government grants approval to such application, the monitoring, management and evaluation of the entire mechanism of development of land covered under such application, including technical and financial bid documents, shall be carried out by a committee consisting of the President of the comunidade as the Chairperson, two persons nominated by the President of the Comunidade one having expertise in the field of town planning and other having expertise in the field of civil engineering both from the Government departments, Escrivao and the Attorney of the respective Comunidade. The Attorney shall act as the member secretary of such committee.

(3) The term of the members of such committee who are elected members shall be co-terminus with their term as members of the managing committee of the comunidade. The term of the nominated members of such committee shall be 3 years.

(4) The meetings of such committee shall be convened bi-monthly and it shall submit its report to the General Body of the Comunidade and the Government.

5. Manner of inviting bids. — After obtaining approval of the Government under rule 3 and the Monitoring Committee, the Comunidade shall invite the developers for the development of land through competitive public bidding in the manner provided hereunder:-

(A) The following details shall be specified in the bid document, namely:-

- (i) area in sq. mtrs., survey number and survey plan of the land sought to be developed;
- (ii) details of amenities to be developed, size of proposed plots to be developed in sq. mtrs;
- (iii) non-refundable application fee at the rate of Rs. 10 per sq. mts. of land proposed for develop;
- (iv) any other details as the Monitoring Committee may specify.

(B) The bids shall be invited in two separate sealed envelopes super scribed as “Technical Bid” and “Financial Bid” from the interested developers by publication of a notice in any two local newspapers, having wide circulation in the State of Goa.

(C) The Government approval shall be obtained for tender documents prior to publishing notice in the newspapers.

(D) Any developer who intends to participate in the competitive public bidding to undertake the development in pursuance of a public notice shall provide information with regard to his legal, technical, managerial and financial capacity to undertake the said land development with such particulars as may be specified in such public notice;

(E) The Comunidade shall invite bids for the development of land from the developers in proportion such that the Comunidade shall retain at least **50%** of the plots **of which 20% shall be reserved for affordable housing to Gaunkars/Jonoeiros**, after deducting the area used to develop amenities and the remaining plots shall be transferred to the developer on payment of the financial bid value to the Comunidade, in the manner provided in rule 11.

6. *Participation in development of Comunidade land.*— (1) Any developer who is desirous of developing the Comunidade land shall participate in the competitive public bidding by writing to the Comunidade and shall furnish therewith:-

- A. a demand draft of the rates as specified in the public notice inviting bids along with the technical and financial bids within time specified in public notice ;
- B. the financial bid consisting of the details of the amount which the developer bids for the tendered plots which he would be entitled to, after completion of the development of the land;
- C. Technical bid consisting of the following particulars, namely:-
 - (i) Details of development done by developer i.e. showing the number and details of such lands already developed (for a developed land not less than 10,000 sq. mts.);
 - (ii) particulars about the financial position and the following plans and documents in triplicate, namely:-
 - (a) in the case of a Company, a copy of the Certificate of Incorporation of the Company, Memorandum of Association and Articles of Association and its shareholders,

- Directors and other details;
- (b) in the case of a Partnership firm, a copy of the Certification of Partnership, Deed of Partnership and its Partners and other details;
- (c) a copy of the Form No. I and XIV and Survey Plan showing the location of the Comunidade Land;
- (d) a draft layout plan of the Comunidade land on a scale of 1 centimeter to 10 meters showing the existing and proposed means of access to the Comunidade land, the width of streets, sizes and types of plots, sites reserved for open spaces, community buildings and other amenities with the area under each and proposed development as per the provisions of the Goa Town and Country Planning Act, 1974 (Act No. 21 of 1975);
- (e) explanation regarding the salient feature of the proposed development, in particular, the sources of wholesome water supply arrangement and site for disposal and treatment of storm and sewerage water;
- (f) plans showing the cross-sections of the proposed roads indicating, in particular, the width of the proposed carriageways, cycle tracks and footpaths, green verges, position of electric poles and any other works connected with such roads;
- (g) plans indicating, in addition, the position of sewers, stormwater channels, water supply and any other amenities;
- (h) detailed specifications and designs of road works and estimated costs thereof;
- (i) detailed specifications and designs of sewerage/ Sewerage Treatment Plant, stormwater and water supply schemes with estimated costs of each;
- (j) detailed specifications and designs for disposal and treatment of storm and sewerage water and estimated costs of works;
- (k) detailed specifications and designs for electric supply including street lighting.

Note: (1) The designs and specifications of the development works to be provided in the Comunidade land shall include:—

- (i) tarring of roads and paving of footpaths;
- (ii) turfing and plantation of trees in open spaces;
- (iii) street lighting;
- (iv) adequate and wholesome water supply;
- (v) sewers and drains both for storm and sewerage water/Sewerage Treatment Plant and necessary provision for their treatment and disposal; and
- (vi) any other works that the Comunidade may think necessary in the interest of proper development of the Comunidade land;

(2) The preparation of the layout plans shall be the responsibility of the developer and such layout plans must be submitted at the time of the development application.

7. Grant of development permission.— (1) After the selection of the successful bidder through competitive bidding, the Comunidade shall grant the permission/ work order to the developer for the development of Comunidade land, with the prior approval of the Government.

(2) The permission granted under sub-rule (1) shall be valid for a period of two years from the date of its grant during which period all development works in the land shall be completed and a certificate of

completion obtained from the Comunidade.

8. *Agreement between Comunidade and the developer.* — (1) After the grant of permission to the developer, an agreement of development shall be executed between the Comunidade and the developer.

(2) Every agreement of development made under sub-rule (1) shall expressly specify the terms and conditions in addition to the following:

- (a) The developer shall undertake responsibility for the maintenance and upkeep of all roads, open spaces, public parks and other amenities for a period of three years from the date of issue of the completion certificate under rule 10 unless earlier relieved of this responsibility and thereupon to transfer all such roads, open spaces, public parks and other amenities free of cost to the Government or the local authority, as the case may be;
- (b) The developer shall undertake to permit the Comunidade or any other individual authorized by it, to inspect the execution of the layout and the development works in the land sought to be developed.

9. *Execution of works.*— (1) The developer shall be responsible for obtaining all statutory permissions such as conversion sanad, permissions from local authorities, sub-division approval, requisite NOC's etc., within a period of 6 months.

(2) The developer shall commence the development works within a period of three months of the grant of permission under rule 7 and shall complete the same before the expiry of the period of the permission.

(3) The Committee shall review the execution work bi-monthly.

10. *Completion certificate.* — (1) After the development has been carried out according to approved layout plans and development works have been executed according to the approved designs and specifications, the developer shall make an application to the Comunidade for the issue of completion certificate.

(2) After such examination, as may be necessary, the Comunidade may issue a completion certificate or refuse to issue such certificate stating the reasons for such refusal.

(3) No such certificate shall be granted by the Comunidade without prior approval of the Committee and the Government.

11. *Transfer of developer's share in the land developed.* — (1) Upon the completion of the development work and obtaining a certificate under rule 10, the Comunidade with the approval of the Government shall execute a deed with the developer transferring his share as per rule 5 and the developer shall then be allowed to dispose of the developed plots/land of his share and create any third party right thereto.

(2) Any third party right created by the developer prior to executing such deed with the Comunidade shall be null and void.

12. Grant of developed plots by the Comunidade.— After the transfer of the developer's share, the Comunidade may proceed with the grant of the land to the allottees as per the procedure laid down under articles 324 to 339.

13. Maintenance of register.— (1) The Comunidade shall maintain a register in Form II showing particulars of all cases in which development permissions have been granted or refused.

(2) A copy of the register shall be maintained in the office of the Administrator of Comunidade. Such register shall be available for inspection to public without any fee and such persons shall be entitled to have copies of the extract therefrom on the payment of two rupees per entry.

14. Cancellation of development permission.— (1) If the Comunidade finds at any time that the execution of the layout plans and the construction or other works is not proceeding according to the permission granted under rule 7 or is below specification or is in violation of the provisions of these rules or of any law or rules for the time being in force, it shall by notice, require the developer to remove the various defects within the time specified in the notice.

(2) If the developer fails to comply with the requirements detailed in the notice issued under sub-rule (1), the Comunidade shall issue him a further notice to accord him an opportunity to show cause within a period of one month why the permission granted should not be cancelled.

(3) After hearing the developer and considering such representation as he may make, the Comunidade may either cancel the permission or grant him further time for complying with the requirements of the notice issued under sub-rule (1). If, however, the developer does not comply with the said requirements within such an extended period, the Comunidade shall cancel the permission without any further hearing or opportunity such cancellation shall be notified in the Official Gazette and publication in any two local newspapers by the Comunidade within 15 days from the date of such cancellation.

(4) On cancellation of the permission, no further work shall be undertaken or carried out by the developer and he shall vacate the premises forthwith.

15. Renewal of permission: — (1) On receipt of an application, the Comunidade shall if satisfied after making such examination as it may consider necessary, that the delay in execution of development works was for reasons beyond the control of the developer, **renew the** permission for a period of one year, with the approval of the Committee and the Government.

(2) In case the Comunidade is not satisfied, it shall reject the application and in that case, an intimation in this regard shall be sent to the developer.

(3) Upon the rejection of such application in terms of sub-rule (2), the developer shall forthwith vacate the site of development.

(4) In case the developer fails to complete the development within the extended time, and upon his vacating the land in terms of sub-rule (3), the Comunidade shall invite fresh bids within 15 days, in accordance with rule 5.

16. Transfer of permission.— (1) The developer may transfer the permission granted to him under rule 7 to any other developer fulfilling the criteria as laid down in these rules with the approval of the Comunidade by making an application to the Comunidade by giving reasons thereto.

(2) The Comunidade, after receipt of such request for transfer of development permission shall examine the matter on merits and may with the approval of the Committee and the Government grant in-principle approval for transfer of such development permission or reject the application.

(3) A new agreement shall be executed between the comunidade, the original developer and the new developer to whom the permission is transferred upon the grant of such permission to transfer.

17. Fee for copy of development permission.— A fee of Rs. 500 shall be charged for obtaining a copy of the development permission by any person interested.

FORM I
(see rule 3(1))

1. **Name of the Comunidade** :-
2. Annual approval budget of 3 years :-
3. Zone paid to Zonnkar/Shareholder :-
in past 3 years
4. Details of land identified to be developed.
 - a) Name of the Village/Taluka :-
 - b) Survey No. :-
 - c) Area :-
 - d) Zoning :-
5. Is the area free from encroachment :-
6. Nil encumbrance certificate :-
7. Survey plan/ Demarcation sketch :-
8. Is the area demarcated :-

9. Has the Managing Committee :-
resolved to develop its land

Form II

(see rule 13(1)).

Register of Cases where permissions are granted or rejected

- 1 Serial No
2. Village
3. Taluka
- 4 Survey. no
5. Description of work to be taken up
- 6 Area
7. Valuation of project
8. Statutory permissions received
9. Grant of development permission: Year Month
10. Agreement between Comunidade and the developer: Year Month

By Order and in the name
of the Governor of Goa

(Vrushika Kauthankar)
Under Secretary (Revenue-I)

Porvorim-Goa, 28th February, 2025.